

FORM PTO-1390
(REV. 11-29-99)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

Polyganics-1 (P22294US00)

U.S. APPLICATION NO. (if known, see 37 CFR 1.5

09/701,622

INTERNATIONAL APPLICATION NO.

PCT/NL99/00352

INTERNATIONAL FILING DATE

04 June 1999

PRIORITY DATE CLAIMED

05 June 1998

TITLE OF INVENTION

BIOMEDICAL POLYURETHANE, ITS PREPARATION AND USE

APPLICANT(S) FOR DO/EO/US

SPAANS, Coenraad J.; DE GROOT, Jacqueline H.; DEKENS, Folkert G.; PENNING, Albert J.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau)
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (with power, 4 pages)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (3 pages total, in dupl.)
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
postcard receipt, check in the amount of \$800.00, Completion of Patent Application letter (2 pages, in duplicate), Petition for Extension of Time (2 pages, in duplicate), and copy of Form PCT/DO/EO/905.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
03/701,622

INTERNATIONAL APPLICATION NO.
PCT/NL99/00352

ATTORNEY'S DOCKET NUMBER
Polyganics-1 (P22294USC)

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO. **\$1000.00**

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO **\$860.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$690.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$ 00.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☒ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	0 - 20 =	0	x \$18.00	\$ 00.00
Independent claims	0 - 3 =	0	x \$80.00	\$ 00.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ 00.00

TOTAL OF ABOVE CALCULATIONS =

\$ 130.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.

\$ 65.00

SUBTOTAL =

\$ 65.00

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 00.00

TOTAL NATIONAL FEE =

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

\$ 40.00

TOTAL FEES ENCLOSED =

\$ 170.00

Amount to be
refunded:

\$


charged:

\$

- a. ☒ A check in the amount of \$ 800.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 13-3083. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
Peter L. Michaelson
MICHAELSON & WALLACE
Parkway 109 Office Center
328 Newman Springs Road
P.O. Box 8489
Red Bank, NJ 07701


SIGNATURE

Peter L. Michaelson

NAME

30.090

REGISTRATION NUMBER

Customer No. 007265

MICHAELSON & WALLACE

A Partnership of Intellectual Property and Technology Lawyers

18 June 2001

Peter L. Michaelson
NJ, NY, PA, AK Bars

Robert M. Wallace
CA Bar

Christopher R. Balzan
CA Bar

Eric J. Aagaard
CA Bar

Janet M. Skafar
CA Bar

Arthur L. Liberman
D.C. Bar

John T. Peoples
NJ Bar

Edward M. Fink
NJ, NY, D.C. Bars

Ronald L. Drumbheller
NY Bar

Jeremiah G. Murray
Patent Agent

COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

COMPLETION OF PATENT APPLICATION

S I R:

In connection with the request filed on
December 1, 2000 to begin national entry in the U.S. PTO
and Form PCT/DO/EO/905 (Notification of Missing
Requirements) of the following international patent
application:

Applicants: SPAANS, Coenraad J.; DE GROOT,
Jacqueline H.; DEKENS, Folkert G.;
PENNINGS, Albert J.

International Application No.: PCT/NL99/00352

International Filing Date: 04 June 1999

Priority Date Claimed: 05 June 1998

Serial No.: 09/701,622 Filed: December 1, 2000

Title: BIOMEDICAL POLYURETHANE, ITS PREPARATION AND USE

Atty. Doc. No.: Polyganics-1 (P22294US00)

we enclose the following material herewith:

XX

Postcard Receipt;

XX

Our check in the amount of \$ 800.00 to
cover cost of the extension of time (4
months) in the amount of \$ 695.00; the
surcharge for late filing of the
Declaration in the amount of \$ 65.00 and
the assignment recordation fee in the
amount of \$ 40.00;

email:
pmichaelson@mandw.com

web site:
www.mandw.com

NJ Office (Reply to):

Parkway 109 Office Ctr.
828 Newman Springs Rd.
EQ, Box 8489
Red Bank, NJ 07701
Tel: 732-532-6671
Fax: 732-532-6584
Videoconference:
732-224-0132 (US123)

Offices also in:

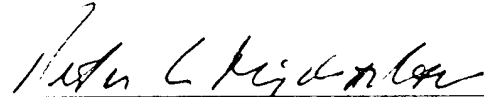
Ventura, California
Silicon Valley, California

XX Completed Form PTO-1390 - Transmittal
Letter to the U.S. Designated/Elected
Office (in duplicate);
XX Petition for Extension of Time to Respond
(2 pages, in duplicate);
XX Executed Declaration and Power of
Attorney (4 pages);
XX Recordation Form Cover Sheet;
XX Assignment (2 pages); and
XX Copy of Form PCT/DO/EO/905.

In the event a fee is due, kindly charge that
fee to my deposit account number 13-3083. To facilitate
that charge, a duplicate copy of this letter is enclosed
herewith.

Respectfully submitted,

MICHAELSON & WALLACE



Peter L. Michaelson, Attorney
Reg. No. 30,090
Customer No. 007265

EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number: EL632362988US
Date of deposit: 19 June 2001

I hereby certify that this paper or fee is being
deposited with the United States Postal Service "Express
Mail Post Office to Addressee" service under 37 CFR 1.10
on the date indicated above and is addressed to the
Commissioner for Patents, **Box PCT**, Washington, D.C.
20231.



Signature of person making certification

Peter L. Michaelson

Name of person making certification

(plmsg/94/ks)

EXPRESS MAIL CERTIFICATE APPEARS ON LAST PAGE



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Box 101
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAME & LAST NAME	ATTY. REF. NO.
09/701622	SPANNS	C
MICHAELSON AND WALLACE PARKWAY 109 OFFICE CENTER 328 NEWMAN SPRINGS RD P O BOX 8489 RED BANK, NJ 07701		INTERNATIONAL APPLICATION NO. PCT/NL99/00352
		DATE RECEIVED 04 JUN 99
		PRIORITY DATE 05 JUN 98
		DATE MAILED 19 JAN 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):
☒ U.S. Basic National Fee.
☒ Copy of the international application in:
☐ a non-English language.
☒ English.
☐ Translation of the international application into English.
☐ Oath or Declaration of inventor(s) for DO/EO/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.
☒ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English.
☒ Preliminary amendment(s) filed 12/01/00 and _____
☐ Information Disclosure Statement(s) filed _____ and _____
☐ Assignment document.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed _____
☐ Verified Statement Claiming Small Entity Status.
☒ Priority Document.
☒ Copy of the International Search Report ☒ and copies of the references cited therein.
☒ Other: PCT/IB/306

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5.)

A copy of this notice MUST be returned with this response.

Enclosed:

- ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Barbara A. Campbell

Telephone: 703-305-3631